

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARK KUSHNEIR,

Plaintiff,

-against-

THE CITY OF NEW YORK; JOSEPH ESPOSITO, and  
MICHAEL MALDONADO,

Defendants.

**SUGGESTION OF DEATH  
UPON THE RECORD  
PURSUANT TO RULE  
25(a)(1)**

14 Civ. 9148 (JLR) (BCM)

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**PLEASE TAKE NOTICE** that pursuant to Rule 25 of the Federal Rules of Civil Procedure, the Corporation Counsel's Office of the City of New York affirms the following:

**WHEREFORE**, on January 9, 2024, the undersigned learned that Defendant Joseph Esposito passed away on or about January 8, 2024;

**WHEREFORE**, pursuant to Fed. R. Civ. P. 25(a)(1), the undersigned served a statement noting the death of defendant Esposito on plaintiff's counsel on January 9, 2024;

**WHEREFORE**, the New York City Law Department, Office of Corporation Counsel, suggests upon the record that Defendant Joseph Esposito is deceased; and


**WHEREFORE**, the New York City Law Department, Office of Corporation Counsel, hereby requests that any motion for substitution of a proper party be timely made within ninety (90) days.

Given the age of this case and that the parties have been aware of Defendant Joseph Esposito's death since January 9, 2024, any motion for substitution of a proper party must be made by **March 22, 2024**.

Dated: February 23, 2024

New York, New York

**SO ORDERED.**

  
**JENNIFER L. ROCHON**  
United States District Judge

Dated: New York, New York  
February 22, 2024

**HON. SYLVIA O. HINDS-RADIX**  
CORPORATION COUNSEL OF THE CITY OF NEW YORK  
*Attorney for Defendants*  
100 Church Street  
New York, New York 10007  
(212) 356-2486



By: \_\_\_\_\_

Hannah V. Faddis  
*Senior Counsel*  
Special Federal Litigation Division

cc: *All Counsel of Record*

No. 18 Civ. 4023 (LGS)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RICHARD ROSARIO,

Plaintiff,

-against-

THE CITY OF NEW YORK; GARY WHITAKER; IRWIN  
SILVERMAN; CHARLES CRUGER; JOSEPH FORTUNATO,  
RICHARD MARTINEZ, EDWARD J. MONKS,

Defendants.

**SUGGESTION OF DEATH UPON THE RECORD  
PURSUANT TO RULE 25(a)(1)**

**GEORGIA M. PESTANA**

CORPORATION COUNSEL OF THE CITY OF NEW YORK

*Attorney for Defendants*

100 Church Street

New York, New York 10007

Of Counsel: Brachah Goykadosh

Tel: (212) 356-3523

*Due and timely service is hereby admitted.*

*New York, New York ....., 2021*

*.....Esq.*

*Attorney for .....*